

AMENDMENT TO THE CLAIMS:**Claims pending**

- At time of the Action: Claims 1-4, 17-20, 33-36 and 49.
- After this Response: Claims 1-4, 17-20, 33-36, and 49-51.

Canceled or Withdrawn claims: None**Amended claims: 1, 17, and 33****New claims: 50-51**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended): A method for encoding a motion video signal, the method comprising:

determining a desired size for a first frame of the motion video signal;
encoding the first frame of the motion video signal to form an encoded frame;
determining an encoded size of the encoded frame;
comparing the encoded size to the desired size;
adjusting an encoding parameter such that encoding the first frame according to the encoding parameter as adjusted would form a different encoded frame having a size closer to the desired size than the encoded size is to the desired

1 size, and wherein the ~~adjusted encoding parameter compensates for no more than~~
2 ~~about 50 percent of any difference between the encoded size and the desired size~~
3 adjusting is based at least in part on a damping factor which reduces
4 overcorrection of the encoding parameter; and

5 encoding a second frame of the motion video signal according to the
6 encoding parameter as adjusted.

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8 Claim 2 (original): The method of Claim 1 wherein the second frame is
9 subsequent to the first frame in the motion video signal.

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11 Claim 3 (original): The method of Claim 1 wherein the encoding parameter
12 is a numerical representation of a compromise between consumed bandwidth and
13 image quality of the motion video signal as encoded.

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15 Claim 4 (original): The method of Claim 1 wherein the step of adjusting
16 comprises:

17 determining a difference between the encoded size and the desired size; and
18 adjusting the encoding parameter by an amount which is proportional to the
19 difference.

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21 Claims 5-16 (canceled)

22
23 Claim 17 (currently amended): A computer readable medium useful in
24 association with a computer which includes a processor and a memory, the
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1 computer readable medium including computer instructions which are configured
2 to cause the computer to encode a motion video signal by performing the steps of:

3 determining a desired size for a first frame of the motion video signal;

4 encoding the first frame of the motion video signal to form an encoded
5 frame;

6 determining an encoded size of the encoded frame;

7 comparing the encoded size to the desired size;

8 adjusting an encoding parameter such that encoding the first frame
9 according to the encoding parameter as adjusted would form a different encoded
10 frame having a size closer to the desired size than the encoded size is to the desired
11 size, and wherein the ~~adjusted encoding parameter compensates for no more than~~
12 ~~about 50 percent of any difference between the encoded size and the desired size~~
13 adjusting is based at least in part on a damping factor which reduces
14 overcorrection of the encoding parameter; and

15 encoding a second frame of the motion video signal according to the
16 encoding parameter as adjusted.

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18 Claim 18 (original): The computer readable medium of Claim 17 wherein
19 the second frame is subsequent to the first frame in the motion video signal.

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21 Claim 19 (original): The computer readable medium of Claim 17 where the
22 encoding parameter is a numerical representation of a compromise between
23 consumed bandwidth and image quality of the motion video signal as encoded.

1 Claim 20 (original): The computer readable medium of Claim 17 wherein
2 the step of adjusting comprises:

3 determining a difference between the encoded size and the desired size; and
4 adjusting the encoding parameter by an amount which is proportional to the
5 difference.

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7 Claims 21-32 (canceled)

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9 Claim 33 (currently amended): A computer system comprising:
10 a processor;
11 a memory operatively coupled to the processor and
12 a motion video signal encoder which executes in the processor from the
13 memory and which, when executed by the processor, causes the computer to
14 encode a motion video signal by performing the steps of:

15 determining a desired size for a first frame of the motion video
16 signal;

17 encoding the first frame of the motion video signal to form an
18 encoded frame;

19 determining an encoded size of the encoded frame;

20 comparing the encoded size to the desired size;

21 adjusting an encoding parameter such that encoding the first frame
22 according to the encoding parameter as adjusted would form a different
23 encoded frame having a size closer to the desired size than the encoded size
24 is to the desired size, and wherein the ~~adjusted encoding parameter~~
25 ~~compensates for no more than about 50 percent of any difference between~~

1 ~~the encoded size and the desired size adjusting is based at least in part on a~~
2 ~~damping factor which reduces overcorrection of the encoding parameter;~~
3 and

4 encoding a second frame of the motion video signal according to the
5 encoding parameter as adjusted.

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7 Claim 34 (original): The computer system of Claim 33 wherein the second
8 frame is subsequent to the first frame in the motion video signal.

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10 Claim 35 (original): The computer system of Claim 33 where in the
11 encoding parameter is a numerical representation of a compromise between
12 consumed bandwidth and image quality of the motion video signal as encoded.

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14 Claim 36 (original): The computer system of Claim 33 wherein the step of
15 adjusting comprises:
16 determining a difference between the encoded size and the desired size; and
17 adjusting the encoding parameter by an amount which is proportional to the
18 difference.

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20 Claims 37-48 (canceled)

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22 Claim 49 (previously presented): A computer readable medium comprising
23 instructions which, when executed by a computer, performs the method of Claim
24 1.

25 Claim 50 (New) A method, comprising:

1 determining a desired size for a first frame of the motion video signal;
2 encoding the first frame of the motion video signal to form an encoded
3 frame;
4 determining an encoded size of the encoded frame;
5 comparing the encoded size to the desired size;
6 adjusting an encoding parameter such that encoding the first frame
7 according to the encoding parameter as adjusted would form a different encoded
8 frame having a size closer to the desired size than the encoded size is to the desired
9 size, and wherein the encoding analyzes both a first encoding adjuster and a
10 second different encoding adjuster; and
11 encoding a second frame of the motion video signal according to the
12 encoding parameter as adjusted.

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14 Claim 51 (New) The method of claim 50, wherein the first encoding
15 adjuster comprises a primary open loop rate control adjuster and the second
16 encoding adjuster comprises a secondary closed loop rate control adjuster, and
17 wherein a higher weight is given to the secondary closed loop rate control adjuster.
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